

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the following remarks.

The claims currently pending in this application are Claims 1-4 and 6-16. Claims 8-15 remain withdrawn from consideration as being directed to the non-elected species. Claims 1-4, 6, 7 and 16 remain readable on the elected species.

As noted above, independent Claim 1 has been amended to recite that "a portion of the wave of the waved connecting member is formed between the waved elements." This amendment has been made for purposes of highlighting one of the differences associated with the stent at issue here relative to the stent disclosed in U.S. Patent No. 6,183,506 to *Penn et al.* With this clarification now set forth in independent Claim 1, it is clear that the stent disclosed in *Penn et al.* is not configured to include the features and relational characteristics recited in independent Claim 1.

It is thus respectfully submitted that the stent defined in independent Claim 1, as well as dependent Claims 2-4, 6, 7 and 16, is patentably distinguishable over the disclosure contained in *Penn et al.* Accordingly, withdrawal of the previous rejection of record and allowance of this application are earnestly solicited.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: May 24, 2005

By:

Dendi Weinstein, R.N. 34,486

for: Matthew L. Schneider
Registration No. 32,814

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620